

# MEETING MINUTES OF THE UNION TOWNSHIP COMMITTEE

MEETING DATE: Wednesday, January 17, 2018 7:00 PM

Actual meeting may contain discussion of items not mentioned on the Agenda and alternatively any items specifically listed may be omitted.

## 1. CALL TO ORDER

2. **"Sunshine Law" Announcement**-Adequate notice of this public meeting has been provided by Annual Notice; published in the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk's Office.

3. **FLAG SALUTE**: led by Mayor or presiding officer.

## 4. ROLL CALL

	Present	Absent
Mr. Severino	X	
Mr. Hirt	X	
Mr. Sroka	X	
Mr. Neary		X
Mr. Mazza	X	

Also Present: J.P. Jost, Attorney, Robert Clerico, P.E., and Municipal Clerk Ella M. Ruta

## 5. APPROVAL OF PRIOR MEETING MINUTES

- Re-organizational Meeting of January 3, 2018
- Regular and Executive Session Meeting Minutes of January 3, 2018

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt		X	X			
Mr. Sroka	X		X			
Mr. Neary						X
Mr. Mazza			X			

Motion Carried

Out of Agenda Order

## 6. EXECUTIVE SESSION – Safety Coordinator Position

The following Resolution was introduced for adoption:

### RESOLUTION #2018-23

#### Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et. seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. \_\_\_\_\_ Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
2. \_\_\_\_\_ Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
3. \_\_\_\_\_ Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
4. \_\_\_\_\_ Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
5. \_\_\_\_\_ Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
6. \_\_\_\_\_ Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigation of possible violations of the law.
7.   X   Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.
8. \_\_\_\_\_ Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.
9. \_\_\_\_\_ Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in public session on January 17, 2018, at 7:03 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt	X		X			
Mr. Sroka		X	X			
Mr. Neary						X
Mr. Mazza			X			

Motion Carried

The Committee returned to regular meeting session at 8:17 p.m.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt		X	X			
Mr. Sroka	X		X			
Mr. Neary						X
Mr. Mazza			X			

Motion Carried

Back to Agenda Order

## 7. VISITORS

## 8. REPORTS RECEIVED

- a. Road Dept.- Week Ending; 12/30/17; 1/08/18
  - b. Zoning Officer – December 2017
  - c. Municipal Court – December 2017
  - d. Animal Control Officer – December 2017
  - e. Public Safety Coordinator – Submitted written report
  - f. Engineer's Report
- Municipal Storage Building – Construction delayed due to weather conditions.
  - Perryville Road/Railroad Crossing – Stated there was nothing new to report.
  - State Municipal Aid – No Update. Understood there may be more funds forthcoming.
  - Pilot Travel Centers LLC: Block 11, Lot 24.03 – Left hand turn signal has been installed. All signs on-site have been reinstalled. Mr. Clerico made an inspection and will be providing a report to the Committee.
  - MS4 Storm Water Permits – The Permit Renewal that was received from the State is being reviewed. Mr. Clerico mentioned what is required of the Township and that funds should be allocated for the work involved.
  - Liberty Stone & Aggregates-Clinton Quarry, LLC: Block 22, Lot 30, 5 Frontage Road: Complaint received regarding work in the wooded area. Mr. Clerico visited the site and said Liberty is working with compliance to a Woodland Management Plan. Indicated he will be issuing a report regarding the site visit.

Report from State Trooper Walsh

- Provided a copy of the December Report to Atty. Jost.
- Mentioned a youth who threatened to blow up the School. The student was suspended and evaluated by school professionals.
- Mentioned a resident being scammed by a psychic operating from Florida.
- Cautioned Seniors about providing information to potential phone scammers.
- Introduced Trooper Tim Sanderson who may be replacing Trooper Walsh if he is transferred.

## 9. CORRESPONDENCE / WRITTEN COMMUNICATIONS – no comments

**10. PUBLIC COMMENTS - None**

**11. PUBLIC HEARING - None**

**12. OLD BUSINESS – None**

**13. NEW ORDINANCE – 1<sup>ST</sup> Reading**

**14. NEW BUSINESS**

**CONSENT AGENDA:** All matters listed under the Consent Agenda are considered to be routine by the Township Committee and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent Agenda and will be considered separate.

- a. **RESOLUTION #2018-24** : Refunding Overpayment of 2016 Taxes-Block 25 Lot 35

**RESOLUTION #2018-24  
TOWNSHIP OF UNION, HUNTERDON COUNTY  
RESOLUTION TO REFUND OVER PAYMENT OF 2016 TAXES**

**WHEREAS**, the Tax Collector received an over-payment for the 2016 property taxes on Block 25 Lot 35 (150 Route 513); and

**WHEREAS**, the property has been coded “Exempt” by the Township Tax Assessor which resulted in an overbilling and subsequent overpayment of 2016 taxes for this property in the amount of \$1,591.69; and

**WHEREAS**, America’s Grow-A-Row, the property owner, has requested a refund of the overpayment;

NOW, THEREFORE, BE IT RESOLVED, on the 17<sup>th</sup> day of January, 2018 by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, as follows:

1. The Tax Collector should refund the amount of \$1,591.69
2. The CFO shall refund \$1,591.69 to America’s Grow-A-Row, 150 Pittstown Road, Pittstown, NJ 08867
3. This Resolution shall take effect immediately upon adoption.

- b. **RESOLUTION #2018-25** : Approving 2018 Agreement for Web Page Services with City Connections, LLC

**RESOLUTION #2018-25  
UNION TOWNSHIP, HUNTERDON COUNTY  
2018 WEBSITE MANAGEMENT AND MAINTENANCE SERVICE CONTRACT**

**WHEREAS**, there exists a need for management and maintenance of an official Township of Union website; and

**WHEREAS**, the Township has provided funds for such services and said funds have been certified as being available by the Certified Finance Officer; and

**WHEREAS**, the City Connections, LLC is a professional company offering website management services and has expressed a willingness to offer said services at the annual fee of \$ 4,580.00;

**THEREFORE**, be it resolved by the Township Committee of the Township of Union to enter into Contract with the City Connections, LLC for the 2018 calendar year.

Date: January 17, 2018

CERTIFICATION AS TO AVAILABILITY OF FUNDS  
UNION TOWNSHIP, HUNTERDON COUNTY

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., I, Grace M. Brennan, as Chief Financial Officer of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds to award a contract to the City Connections, LLC as appropriated in the 2018 Temporary/Adopted Budget.

Date: \_\_\_\_\_

\_\_\_\_\_  
Grace M. Brennan, CFO

c. **RESOLUTION #2018-26**: Approving Contract for Legal Services 2018 – J. Peter Jost, Esq.

**RESOLUTION #2018-26**

**UNION TOWNSHIP; HUNTERDON COUNTY**

**RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES 2018**

WHEREAS, the Township of Union has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A.19:44-A-20.5; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, anticipated term of this contract is one year; and

WHEREAS, J. PETER JOST, ESQ. has submitted a proposal indicating the fee for all other legal services rendered shall be \$170.00 per hour and in no event shall the amount of this contract exceed \$85,000.00, without prior approval of the Township governing body; and

WHEREAS, J. PETER JOST, ESQ. has completed and submitted a Business Entity Disclosure Certification which certifies that J. PETER JOST, ESQ. has not made any reportable contributions to a political or candidate committee in the Township of Union in the previous one year, and that the contract will prohibit J. PETER JOST, ESQ. from making any reportable contributions through the term of the contract; and

WHEREAS, the Township Chief Financial Officer has certified to the governing body the availability of funds for said contract in a line item entitled Legal Services, OE; and

NOW THEREFORE, BE IT RESOLVED by the Township Committee authorizes the Mayor and Clerk to enter into a contract with J. PETER JOST, ESQ. as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that a Notice of this action shall be printed once in the Hunterdon County Democrat.

\_\_\_\_\_  
Ella M. Ruta, Municipal Clerk

Date: January 17, 2018

## CERTIFICATION AS TO AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., I, Grace M. Brennan, Chief Finance Officer of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the 201 Temporary/Adopted Budget to award a contract to J. Peter Jost, as appropriated under the line item "\_\_\_\_\_".

Date: \_\_\_\_\_

\_\_\_\_\_  
Grace M. Brennan, CFO

- d. **RESOLUTION #2018-27**: Approving Contract for Planning Consultant Services 2018 – Clarke Caton Hintz  
RESOLUTION #2018-27

### UNION TOWNSHIP, HUNTERDON COUNTY

#### AUTHORIZING CONTRACT FOR PLANNING CONSULTANT SERVICES FOR 2018 With The Firm of Clarke·Caton·Hintz

WHEREAS, the Township of Union has a need to acquire planning services as a non-fair and open contract pursuant to the provisions of N.J.S.A.19:44-A-20.5; and

WHEREAS, the maximum amount of the contract may exceed the threshold amount established pursuant to N.J.S.A.40A:11-3(b); and

WHEREAS, funds are available; and

WHEREAS, CLARKE CATON HINTZ has submitted a proposal indicating the fee of up to \$215 per hour and subject to a maximum of \$40,000.00 appropriated for services performed hereunder during the term of this contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection;

WHEREAS, CLARKE CATON HINTZ has completed and submitted a Business Entity Disclosure Certification which certifies that CLARKE CATON HINTZ has not made any reportable contributions to a political or candidate committee in the Township of Union in the previous one year, and that the contract will prohibit CLARKE CATON HINTZ from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Union, Hunterdon County, New Jersey, as follows:

1. The Mayor and Township Clerk are hereby authorized and directed to execute the attached agreement with the firm of Clarke·Caton·Hintz, for planning consulting services for 2018
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with 40A:11-5(1) (a) of the Local Public Contracts Law because all persons providing services for the Township are professional planner.
3. Approval of the attached contract is subject to availability and appropriation of sufficient funds as may be required in the 2018 temporary and permanent Municipal budgets.

4. A Notice of this action shall be printed once in the official newspaper.

Date: January 17 2018

CERTIFICATION AS TO AVAILABILITY OF FUNDS  
UNION TOWNSHIP, HUNTERDON COUNTY

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., I, Grace M. Brennan, Chief Financial Officer of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the **2018** Temporary/Adopted Budget to award a contract to Clarke-Caton-Hintz under the line item "\_\_\_\_\_".

Date: \_\_\_\_\_

Grace M. Brennan, CFO

- e. **RESOLUTION #2018-28**: Tonnage Grant Application for 2017

**RESOLUTION #2018-28**

**UNION TOWNSHIP; HUNTERDON COUNTY  
TONNAGE GRANT APPLICATION for 2017**

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for such tonnage grants for calendar year **2017** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee of the Township of Union, Hunterdon County to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, Hunterdon County, hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Joseph Peake to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

- f. **Motion to Approve**: Approving 2018 Contract for Animal Control Services

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt	X		X			
Mr. Sroka		X	X			
Mr. Neary						X
Mr. Mazza			X			

Motion Carried

End of Consent Agenda

- g. **Budget discussion** – Clerk reported that CFO Brennan had requested the item be on the agenda, but was unable to attend tonight’s meeting.

## 15. REPORTS

### a. Attorney’s Report:

- LOSAP for Pattenburg Rescue Squad Members - Mentioned that CFO Brennan is obtaining quotes from various vendors.
- Driveway Ordinance – Attempting to arrange a meeting with Messrs. Clerico and Neary to discuss revisions to the Ordinance.

### b. Committee Report

Mr. Hirt reported the following:

- Mentioned that Company providing cleaning services mentioned to the mold smell in the basement. He and Mr. Mazza will assess and evaluate the situation.
- Kitchen Sink Drainage problem – Schaible’s Plumbing was called to make the repair.

Mr. Mazza reported the following:

- Planning Board Vacancies – Asked Mr. Sroka if there had been any responses to the Website posting. Mr. Sroka answered in the negative.

Mr. Sroka reported the following:

- Township Website – Has been reviewing and updating information on the Website.

### c. Mayor’s Report

- Hoffman Park Buildings – Spoke with a representative from Hunterdon County who apprised him that the County is considering removing some of the buildings. They also plan to install a pavilion in the Park.
- UTEC Small Speaker Event – David Mac George, UTEC Chair, said the Commission would like to hold a Small Speaker Event in conjunction with their Annual Well-Testing Day. The Event would be held in the Parking Lot. The Committee did not object.
- Union Township School Pine Derby – For the Committee’s information.

**Clerk mentioned letter from Comcast regarding franchise renewal.** Mayor Severino said it should be discussed at the next Committee meeting.

## 16. PUBLIC COMMENTS - none



## 17. PAYMENTS OF BILLS

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt		X	X			
Mr. Sroka	X		X			
Mr. Neary						X
Mr. Mazza			X			

Motion Carried

## 18. ADJOURNMENT

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt		X	X			
Mr. Sroka	X		X			
Mr. Neary						X
Mr. Mazza			X			

Motion Carried